



IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

LABORATORY CORPORATION OF  
AMERICA HOLDINGS,

Plaintiff,

v.

PAUL DORAN and NATERA, INC.,

Defendants.

1:24-cv-1029

ORDER

Plaintiff has filed a Motion for Temporary Restraining Order and Expedited Discovery, (Doc. 5), requesting, inter alia, a Temporary Restraining Order enjoining Defendants from violating the terms of a Confidentiality, Nonsolicitation, and Noncompete Agreement, (Doc. 5 at 2, 7).

Defendants have not yet been served, so the first issue is whether a temporary restraining order ("TRO") should issue without notice. This court finds that Plaintiff's pleadings are insufficient to support the issuance of a TRO without notice to Defendants. To obtain a TRO without notice, Plaintiff is required to show immediate and irreparable injury before Defendants can be heard in opposition and a certification of the efforts to give notice and why notice should not be required. Fed. R. Civ. P. 65(b)(1)(A), (B). The pleadings make it clear

that Plaintiff has been engaged in discussions with at least one defendant since October,<sup>1</sup> a fact which somewhat diminishes the likelihood of immediate and irreparable injury before Defendants are provided notice. Additionally, it is not clear why notice should not be required.

This court will require Plaintiff to serve Defendants and provide notice of the request for a TRO. Following service, counsel for Plaintiff and Defendants shall consult on an appropriate date for a hearing on the TRO and, if possible, determine whether the TRO and preliminary injunction may be heard at the same time.

This court tentatively sets Plaintiff's motion for a temporary restraining order for Tuesday, December 17, 2024, at 2:00 p.m. in Greensboro, Courtroom One. That hearing date will be rescheduled if notice has not been provided to Defendants. If the parties are not able to agree to a date, the court will hold the hearing on December 17 as scheduled.

**IT IS SO ORDERED.**

This the 9<sup>th</sup> day of December, 2024.

  
United States District Judge

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<sup>1</sup> This court commends the parties for attempting to resolve the issues without court intervention.